

Hearing Officer / Board of Adjustment

City of Tempe
Development Services
31 East Fifth Street
Tempe, AZ 85280-5002
480-350-8331 TDD 480-350-8400



Required Items for Hearing Officer/Board of Adjustment Variance or Use Permit Application

Application

Form to be filled out with the requested information, signed by applicant AND property owner, and submitted, together with items indicated below, to the Development Services Department. If the property owner does not personally sign the application, he/she must submit a Letter of Authorization giving permission to the application to file the specific request. The form shall have the signature of the appropriate agent from the Building Safety Division. [Obtain Submittal and Hearing Dates](#) from the Planning Division.

Letter of Explanation/ Intent/Justification

Letter from the applicant to the Hearing Officer/Board of Adjustment that describes the proposal in detail. **THE LETTER MUST BE SIGNED BY THE APPLICANT OR REPRESENTATIVE:**

1. For a USE PERMIT, describe the use or if a business, describe the operation, hours, number of employees, customers, etc. and how it will affect the surrounding area:

The letter **must** include justification that the proposed use will:

- a. not cause any significant vehicular or pedestrian traffic in adjacent areas, and
- b. not cause any nuisance (odor, dust, gas, noise, vibration, smoke, heat or glare, etc.) exceeding that of ambient conditions, and
- c. not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City, and
- d. be compatible with existing surrounding structures, and
- e. not result in any disruptive behavior which may create a nuisance to the surrounding area or general public.

2. For a VARIANCE, state the variance requested, why it is necessary and what cannot be changed on your project to comply with the normal requirements, and what special circumstances affect your property which make it different from the nearby properties:

For variances, the letter must include justification:

- a. that there are special circumstances or conditions applying to the land, building or use referred to in the application; and
- b. that the authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and
- c. that the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general, and

That the variance shall not:

- d. make any changes in the uses and densities permitted in any zoning classification or zoning district, and
- e. be for the purpose of rectifying a special circumstance which was self-imposed by the property owner or applicant; and
- f. allow relief from any item expressly prohibited by this Ordinance.

Ownership Map

A map showing the properties within a radius of 300 feet of the exterior boundaries of the lot, together with the number indicated for each lot. (See [Instructions for Ownership Map/Labels](#))

Ownership List/ Mailing Labels

Submit **typed or printed adhesive labels** containing names and mailing addresses of property owners within a radius of 300 feet of the boundaries; the names and mailing addresses of tenants within the boundaries of the parcel as indicated on and identified by the same number shown on the ownership map; and the name and mailing addresses of tenants within the boundary of the parcel. Correct Zip Codes must be shown for each address. For ownership list, submit a photocopy of the Mailing Labels sheet(s) for the file record. (See [Instructions for Ownership Map/Labels](#))

NOTE: The Applicant must submit a signed [Affidavit of Public Hearing Notification for Property Ownership List and Map](#) in addition to the Ownership Map

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Required Items (continued)

Site Plan	All requests shall include one 8 ½" x 11" scaled reduction site plan and one 24" x 36" scaled blackline site plan. (see " Submittal Examples ")
Floor Plans	All applicants shall submit scaled floor plan(s) indicating the square footage and use of all intended and/or existing area. (see " Submittal Examples ")
Building Elevations	All applicants shall submit scaled building elevations of proposed buildings and/or proposed additions, indicating materials and colors to be used. (see " Submittal Examples ")